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OPINION & ORDER  
[Resolving Doc. [19](#)]

<sup>6</sup> See *Thomas*, 474 U.S. at 149.

Here, Plaintiff informed the Court he is not objecting to the R&R and the Defendant has not filed an objection.<sup>7</sup> Accordingly, the Court **ADOPTS** in whole Magistrate Judge Burke's Report and Recommendation and incorporates it fully herein by reference, and **DISMISSES** Plaintiff Dowling's complaint.

IT IS SO ORDERED.

Dated: June 3, 2017

s/ *James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>7</sup> Doc. [20](#).